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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,383	08/19/2003	George Eckerd	RKEY-7PC	6216
23469	7590	03/16/2011		
Jackle Fleischmann & Mugel, LLP			EXAMINER	
12 Fountain Plaza			BATES, KEVIN T	
Buffalo, NY 14202-2292				
			ART UNIT	PAPER NUMBER
			2456	
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			03/16/2011	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/644,383	ECKERDT, GEORGE	
	<b>Examiner</b>	<b>Art Unit</b>	
	KEVIN BATES	2456	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 March 2011.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14,52-65 and 69 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14,52-65 and 69 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Response to Amendment***

This Office Action is in response to a communication made on March 7, 2011.

Claims 1, 3-4, 8, 11, 52, 54, 59, 62, and 69 are currently amended.

Claims 15-51 and 66-68 have been cancelled.

Claims 1-14, 52-65, and 69 are pending in this application.

**Please note:** that the based on the interview summary mailed September 30, 2010 this action is being considered by the examiner as a response to a Non-Final Rejection.

**Please note:** the examiner has noticed many of the amended claims had the status identifier as "previously presented". Please be careful to include the proper status identifiers for claims or else the amendment may be considered Non-complaint.

***Response to Arguments***

With respect to Applicant's assertion that a prima facie case of obviousness has not been met because Walker's vending machine system is non-analogous to the placement or removal of keys" (Remarks 8-9), it is noted that these limitations were added in the present amendment and were not in the claims at issue in the Office action mailed September 7, 2010.

Applicant is respectfully requested to address newly added limitations as such, since treating them as though they were previously presented is misleading and adds confusion to the record. Applicant's newly added limitation has been addressed below.

The applicant argues that Walker is non-analogous art towards a key based inventory management system. See remarks pp. 8-9. The examiner disagrees, both Maloney and Walker are mostly directed to managing unmanned, off site, inventory management. Because of that, each are concerned with the same types of issues such as remotely worry about the inventory of the objects, security, and gathering information in a remote location. Because of the nature of the inventory being managed may have different properties and the method of providing authorization to dispense the items does not change the similar problems and solutions that the references have in common.

Any arguments being directed toward the Wallace reference should be considered persuasive, but a new grounds of rejection is given below.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-14, 52-65 and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maloney (7317393) in view of Walker (7233912).**

**Regarding claims 1 and 52,** Maloney teaches an asset management system for managing a plurality of tangible assets by a remote user using a web browser, comprising:

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at least one security asset manager for receiving a key (Col. 6, ll. 54 – 56; Col. 8, ll. 7 – 16), comprising

an asset control system including means for receiving and releasing keys (Col. 6, ll. 54 – 56; Col. 8, ll. 7 – 16),

a server coupled to the asset control system,

wherein the co-located asset control system and server share a single I/O unit coupled to the Internet (Col. 6, ll. 63 – 67; See Fig 1, element 27, 13, and 23),

wherein the server stored information regarding key transactions at the asset control system (Col. 11, ll. 41 – 67).

Maloney does not explicitly indicate the remote user can access and control the asset management system remotely by communication via the Internet between the web browser and the web server.

Walker teaches a smart vending/inventory machine which includes a server which functions to control both the vending of the machine, but also access control and network communication with clients and a web browser (Col. 3, lines 31 – 37; Col. 3, line 67- Col. 4, line 5; Col. 4, lines 48 - 63; Col. 8, line 59 - Col. 9, line 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Walker's teaching of a inventory vending machine designed to host a web interface to improve Maloney's system to allow a remote user communicate with the inventory device and change some operating parameters and check status.

**Regarding claims 2 and 53**, Maloney as combined with Walker teaches the system as set forth in claims 1 and 52 wherein the server system permits the asset management system to be accessed based on one or more criteria (Walker, Figure 8, element 810).

**Regarding claims 3 and 54**, Maloney teaches the system as set forth in claims 2 and 53 wherein the server system permits the keys to be removed from the stations or replaced to the stations based on the one or more criteria (Col. 6, ll. 46 – 53).

**Regarding claims 4 and 55**, Maloney as combined with Walker teaches the system as set forth in claims 2 and 53, wherein the one or more criteria are provide to the web server by the remote user via the web browser via the web browser over the Internet (Walker, Col. 7, ll. 17 – 20).

**Regarding claims 5 and 56**, Maloney as combined with Walker teaches the system as set forth in claims 2 and 53 wherein the one or more criteria comprises a user ID, a user password, and a user security access level (Walker, Col. 4, ll. 65 – 67).

**Regarding claims 6 and 57**, Maloney as combined with Walker teaches the system as set forth in claims 1 and 52 wherein the web server provides the web browser at the remote user over the Internet with the stored information regarding the transactions with the security asset manager (Walker, Col. 4, ll. 34 - 53).

**Regarding claims 8 and 59**, Maloney teaches the system as set forth in claims 1 and 52 wherein the stored transaction information comprises at least one of a location of the security asset manager where one or more of the keys were removed from or replaced to, an identity of the security asset manager where the keys were removed

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from or replaced to, a date or time the keys were removed, an identifier for each of the removed the tangible assets, and an identity of one or more users that removed the tangible assets (Col. 11, ll. 41 – 67).

**Regarding claims 9 and 60**, Maloney teaches the system as set forth in claims 1 and 52 wherein the web server stores alarm information describing one or more alarm conditions to be satisfied to trigger an alarm of the asset management system (See Fig. 8, “notify appropriate personnel”).

**Regarding claims 10 and 61**, Maloney teaches the system as set forth in claims 9 and 60 wherein the web server sounds the alarm of at least one of the asset management system and a remote system upon determining that the one or more alarm conditions have been satisfied (See Fig. 8, “notify appropriate personnel”).

**Regarding claims 11 and 62**, Maloney as combined with Walker teaches the system as set forth in claims 1 and 52 wherein the web server provides the web browser at the remote user with one or more graphical user interfaces for accepting data used by the server system to perform at least one of permitting the asset management system to be accessed, permitting the tangible assets to be removed from the security asset manager, permitting the tangible assets to be replaced to the security asset manager, setting alarm conditions, and storing information that describes the asset management system (Walker, Col. 3, lines 31 – 37; Col. 3, line 67- Col. 4, line 5; Col. 4, lines 48 - 63; Col. 8, line 59 - Col. 9, line 5).

**Regarding claims 12 and 63**, Maloney teaches the system as set forth in claims 1 and 52 further comprising a user input interface that receives user identification

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information associated with a request to access the asset management system (Col. 6, ll. 40 – 53).

**Regarding claim 13 and 64**, Maloney teaches the system as set forth in claims 12 and 63 wherein the user input interface further comprises an access control card reader, the requester identification information being stored on an access card that is coupled to the access control card reader (Col. 6, ll. 40 – 53).

**Regarding claim 14 and 65**, Maloney teaches the system as set forth in claims 13 and 64 wherein the server system converts the requestor identification information from a first format to a second format (Col. 6, ll. 40 – 53).

**Regarding claim 69**, Maloney as combined with Walker teaches the method as set forth in claim 52 further comprising using a server system to provide a remote system with one or more graphical user interfaces for accepting data used by the server system to perform at least one of permitting the security asset manager to be accessed, permitting the tangible assets to be removed from the housing, permitting the tangible assets to be replaced in the housing, setting alarm conditions, and storing information that describes the security asset management system (Walker, Col. 3, lines 31 – 37; Col. 3, line 67- Col. 4, line 5; Col. 4, lines 48 - 63; Col. 8, line 59 - Col. 9, line 5).

**Claims 7 and 58 rejected under 35 U.S.C. 103(a) as being unpatentable over Maloney in view of Walker, and further in view of Defosse (7181501).**

**Regarding claim 7 and 58**, Maloney teaches the system as set forth in claims 1 and 52.



Maloney as combined with Walker does not explicitly indicate wherein the web server stores information describing the security asset manager, the information comprising at least one of an identity, a location and an installation date of the security asset manager.

Defosse suggests a method of managing multiple sites of inventory systems which includes status reports of particular machines where those reports include geographical locations to enable personnel to find the machine in case service is needed (Col. 13, ll. 32 - 67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the inventory machine to include location information in reports sent to people to allow that machine to be found when there are more than one machine being serviced.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN BATES whose telephone number is (571)272-3980. The examiner can normally be reached on M-F 8 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KEVIN BATES/  
Primary Examiner, Art Unit 2456